

EXTENSION OF WAIVER AUTHORITY WITH RESPECT TO STUDENT FINANCIAL ASSISTANCE

Mr. KLINE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2132) to extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency.

The Clerk read as follows:

H.R. 2132

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF WAIVER AUTHORITY.

Section 6 of the Higher Education Relief Opportunities for Students Act of 2003 (20 U.S.C. 1070, note) is amended by striking "September 30, 2005" and inserting "September 30, 2007".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KLINE).

GENERAL LEAVE

Mr. KLINE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2132.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KLINE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 2132, legislation to extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency. This legislation, Madam Speaker, simply extends beyond September 30 of this year the provisions of the HEROES Act of 2003, legislation I introduced 2 years ago, which expresses the support and commitment of the United States House of Representatives for the troops who protect and defend the United States.

Madam Speaker, throughout our involvement in the war on terrorism, many thousands of men and women who serve our Nation in the Reserves or National Guard or the Armed Forces, whether Army, Marine Corps, Navy, Air Force or Coast Guard, have been called to active duty or active service. As our Nation seeks to rebuild the communities devastated by Hurricane Katrina, many more of our men and women in uniform have been asked to serve.

Many of these men and women are also college and university students whose service sends them away from their class and work and studies to defend our Nation. Unfortunately, due to a number of restrictions in the Higher Education Act, these individuals are at risk of losing financial assistance or educational credit as a result of their service.

Such a scenario is clearly not acceptable. The HEROES Act helps protect our men and women in uniform so they will not face education-related financial or administrative difficulties while they defend our Nation. The men and women who will continue to serve beyond the end of this month deserve the same guarantee.

The intent of this legislation is very specific. Congress has granted flexibility to the Secretary of Education to waive statutory or regulatory conditions of the Higher Education Act to ensure our men and women in uniform are not placed in an adverse financial position because of their service. This waiver authority gives the Secretary the power to protect recipients of student financial assistance from further financial difficulty generated when they are called to serve; minimize administrative requirements without affecting the integrity of the programs; and adjust the calculation used to determine financial need to accurately reflect the financial condition of the individual and his or her family.

Madam Speaker, the HEROES Act was approved 2 years ago by an overwhelming majority of 421 to 1. Today's extension simply reinforces Congress' commitment to our military, our students, our families and our schools.

I urge my colleagues to stand in strong support of this initiative and join me in voting "yes" on H.R. 2132.

Madam Speaker, I reserve the balance of my time.

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Mr. VAN HOLLEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of the HEROS Act introduced by my colleague from Minnesota, and I want to commend him on this legislation. It is a good bill and it is an important bill.

However, I must say that I am disappointed that we are not using this opportunity today to further strengthen the support we are providing to our men and women fighting in Iraq, Afghanistan, and elsewhere. We can and should be doing better.

As you heard, the bill before us allows the Secretary of Education the opportunity, the authority to ensure that those men and women serving in Iraq who have Federal student loans not have to make payments on those loans while they are serving overseas, while they are in combat, and while they are on active duty.

But the problem is this: while they are on active duty, while they do not have to make payments, the interest payments on those loans continues to accrue and accumulate. So, then, that man or woman, the soldier, comes back to the United States owing a larger bill than when he or she was deployed.

For example, if you left for Iraq or Afghanistan owing \$20,000 in Federal student loans and you were there for a period of time, and your loan interest

payments accumulated \$2,000, you would return home owing \$22,000 instead of the \$20,000 payment you faced when you left.

That is why the gentleman from Ohio (Mr. RYAN) and I have introduced legislation to allow those men and women to defer any interest payments during that period. So when you were deployed, you would truly have a time out on your loan. For example, if you left owing \$20,000, you would return owing \$20,000.

It is our belief that while our men and women are serving our Nation overseas, they should not actually be at the same time accumulating greater interest on those Federal student loans during that period of time. Our bill would make it mandatory that the Secretary of Education make sure they did not come back owing more than when they left.

Moreover, the gentleman from Nebraska (Mr. OSBORNE), the gentleman from Ohio (Mr. RYAN), and myself introduced an amendment to the Higher Education Act that would do exactly what I just described. It was taken up by the Committee on Education and the Workforce, and the committee adopted that amendment that said not only should we say you do not have to make your scheduled payments but during that period of time that you are deployed, interest will not accrue.

I was very pleased that on a bipartisan basis the Committee on Education and the Workforce adopted that amendment. The problem is this: that amendment is sitting in a queue. It is sitting in a line here waiting for the air traffic controllers to move it to the front of the line. And who knows what will happen to the higher education bill in the Senate. They are way behind the House in that area. So there is no reason for us to wait. This was an opportunity to make that change and make it today.

It is especially important for those who are in the Reserves and National Guard, who, when they are deployed, are often making a much larger income here in the United States than the salary they are receiving as soldiers overseas. So they had the income while they were here at work to make these payments, and now they are deployed overseas at lower income, yet those interest payments continue to accrue.

For that reason, I would have thought this was a terrific opportunity to address that shortcoming in this bill. This is a good bill, but a bill that we can certainly make better; and there is no reason we could not do it today. The only reason we cannot do it today is this bill has been brought up under a procedure that does not allow the gentleman from Ohio and myself and others to offer that amendment, an amendment which, as I say, received bipartisan support in the Committee on Education and the Workforce.

So, Madam Speaker, I had hoped we would have addressed that now, and I am disappointed we did not. I will support this bill, because I think it is a

good bill. I just think we could have used this opportunity to make it even better.

Madam Speaker, I reserve the balance of my time.

Mr. KLINE. Madam Speaker, I am pleased to yield 2 minutes to the aforementioned gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Madam Speaker, I thank the gentleman for yielding me this time, and I am pleased to speak in support of the Higher Education Relief Opportunities for Students, or HEROS, Act. As has been stated, this was enacted September 12 of 2001, somewhat in response to events of 9/11; and it provides relief from student loan debt for Reservists and National Guardsmen called to active duty while still in college.

This bill expires in about 2 weeks, September 30, 2005; so it is only appropriate that the gentleman from Minnesota has introduced H.R. 2132, which extends the law for another 2 years. We currently have many Guardsmen and Reservists who are still being called up out of college, some to battle Hurricane Katrina; but many more are serving in Iraq and Afghanistan. Many Members of Congress, myself included, have been to Iraq and Afghanistan many times, and I continue to be amazed at their competence and their willingness to sacrifice; and I guess this is the least that we can do to help them understand how much they are appreciated.

This bill also encourages colleges and universities to provide a full tuition refund for students called up during a semester. It does not mandate it, but I think this is an important provision of the bill. As mentioned by the gentleman from Maryland (Mr. VAN HOLLEN), in addition I have worked with the chairman, the gentleman from Ohio (Mr. BOEHNER), and the gentleman from Maryland to insert language in the higher education bill, which recently passed out of the Committee on Education and the Workforce, which would extend relief from interest on student loan payments for active duty soldiers called to active duty after leaving college; and of course the HEROS Act would not cover those because it refers only to those who are in college.

So I look forward to working with the chairman on implementation of this provision as we further consider the higher ed bill at a future date, and again I wish to thank the gentleman from Minnesota (Mr. KLINE) for his provision here and the chairman for his work.

Mr. VAN HOLLEN. Madam Speaker, I reserve the balance of my time.

Mr. KLINE. Madam Speaker, I am now very pleased to yield such time as he may consume to the gentleman from Ohio (Mr. BOEHNER), chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Madam Speaker, I rise in support of this bill to extend as-

sistance for the men and women serving in the military by continuing to provide student aid flexibility; and I want to applaud the gentleman from Minnesota (Mr. KLINE) for his leadership in providing flexibility and support for military personnel.

I would also like to thank the gentleman from California (Mr. MCKEON) for his continued support for higher education and his leadership along with the gentleman from Minnesota (Mr. KLINE) to protect the interests of members of the armed services.

The gentleman from California (Mr. GEORGE MILLER) and the gentleman from Michigan (Mr. KILDEE), on the other side of the aisle, have worked closely with us on this bill. And because it does expire at the end of this month, we do, in fact, need to extend it.

The Higher Education Act, which we will extend after we deal with this bill, deals with the issue of deferring the interest payments on those loans for active duty people, our servicemembers, who have been called up. That higher education bill we will talk about when we deal with the extension of the current Higher Education Act, but we are hopeful that in the coming month or so we will be able to bring the higher education reauthorization bill to the floor which will deal with the issue our friend from Maryland has referred to.

I do want to say that this is an important bill. We need to get it passed and get it to the other body to pass it so that our men and women in uniform will not be penalized because in fact they were called up, those who were in an institution of higher education. So I congratulate the gentleman from Minnesota (Mr. KLINE).

Mr. VAN HOLLEN. Madam Speaker, I yield myself such time as I may consume. I urge my colleagues to support this very important piece of legislation that extends the existing authorities and again congratulate the gentleman from Minnesota (Mr. KLINE).

I do want to underscore the fact that I thought we should use the opportunity right now to improve this legislation in the way I described. We are, of course, hostage to our own congressional calendar, but I do not think we should be holding our troops overseas hostage to that same calendar.

The higher education bill, whenever it comes before the House, still has to go through a long process. It has to get through the House, as we know; it has to get through the Senate; and then it must be signed by the President. That could be months. It could be years, as we know, for this process. I do not think we should be asking the men and women in Iraq and Afghanistan to be waiting years while their interest payments on these Federal student loans are accumulating.

It seems to me we should get it done now. We have an opportunity to get it done now, and I hope we will move quickly to deal with that situation. Especially if the Higher Education Act

gets bogged down, it seems to me we should move quickly to address that discrete issue that we can handle by itself without all the other issues that are tangled up as part of the higher education bill.

So, again, a good bill. I wish we had used the opportunity to make it a little better, but I urge my colleagues to support it.

Madam Speaker, I yield back the balance of my time.

Mr. KLINE. Madam Speaker, in closing I wish to thank the gentleman from Maryland and certainly thank the chairman and my colleagues for their support of this bill. It has been an interesting discussion we have had about legislative strategy.

I agree that our troops, their welfare, and the pressure that is put on them sometimes as they are students is extremely important and something, frankly, not for us to trifle with. We have the opportunity here with a bill that has already received overwhelming support in its current form in both the House and Senate and been passed into law, and it seemed to us we should take advantage of this to make sure our troops receive continuous coverage, and then address the larger question the gentleman from Maryland raised earlier.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and pass the bill, H.R. 2132.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

HIGHER EDUCATION EXTENSION ACT OF 2005

Mr. BOEHNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3784) to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3784

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Higher Education Extension Act of 2005".

SEC. 2. EXTENSION OF PROGRAMS.

(a) EXTENSION OF DURATION.—The authorization of appropriations for, and the duration of, each program authorized under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) shall be extended through December 31, 2005.

(b) PERFORMANCE OF REQUIRED AND AUTHORIZED FUNCTIONS.—If the Secretary of Education, a State, an institution of higher education, a guaranty agency, a lender, or another person or entity—

(1) is required, in or for fiscal year 2004, to carry out certain acts or make certain determinations or payments under a program